Hill Unit To Hear Doctor

Judiciary Sets Special Session On ITT Case

3/6/72

By Sanford J. Ungar
Washington Post Staff Writer

The Senate Judiciary Committee, anxious to proceed with its investigation of whether a Justice Department antitrust settlement was linked to a subsidy for the Republican National Convention, will convene a special session this morning for a report on the health of a key witness, lobbyist Dita D. Beard.

The hearing was advanced a day to hear from Mrs. Beard's physician, Dr. Victor L. Liszka of Arlington, who flew back here yesterday after treating her at the Rocky Mountain Osteopathic Hospital in Denver.

He is expected to tell the committee that his patient wants to testify but cannot travel for at least another week.

Liszka asked to appear before the committee today, after permitting FBI agents to serve Mrs. Beard with a subpoena late Saturday night on the condition that her own appearance could be postponed until she is feeling better.

Mrs. Beard, discovered in Denver after an intensive FBI search, is the purported author of a controversial memorandum indicating that the International Telephone and Telegraph Corp. offered a $400,000 contribution to the GOP convention in San Diego in exchange for a settlement of pending Justice Department antitrust cases against the conglomerate.

Publication of the memo and subsequent disclosures that Acting Attorney General Richard G. Kleindienst discussed the antitrust settlement with an ITT director have delayed Kleindienst's confirmation for the Cabinet post.

Democrats on the Judiciary Committee indicated yesterday that they are willing to wait for Mrs. Beard, but intend to press ahead with their inquiry into other aspects of the case.

On Tuesday, Kleindienst is scheduled to return for further questioning, as are Richard W. McLaren, former chief of the Antitrust Division at Justice and now a federal judge in Chicago, and ITT director Felix G. Rohatyn.

Former Attorney General John N. Mitchell, a key figure in the Beard memo, and syndicated columnist Jack Anderson, who first disclosed the memo, are also on the witness list, along with three "mystery surprise witnesses" to be provided by ITT.

Republican and Democratic presidential candidates in-

See ITT, A4, Col. 1

ITT, From A1

jected themselves into the ITT controversy yesterday with demands for a more sweeping investigation.

Rep. Paul N. McCloskey of California, a candidate against President Nixon in the New Hampshire primary, suggested on "Face The Nation" (CBS WTOP) that the Justice Department should convene a grand jury probe of ITT's promise to help defray convention costs.

McCloskey said that ITT may have violated a federal law (Section 611 of Title 18 in the U.S. Code) prohibiting any contribution "directly or indirectly . . . of money or any other thing of value . . . to any political party, committee or candidate for public office" by a company with government contracts, such as ITT.

The maximum penalty for any such contribution, or the solicitation of such a contribution, is five years in prison and a $5,000 fine.

McCloskey, a former county attorney, said, "It looks to me" as if the ITT contribution falls under the terms of the statute.

But Kleindienst, during his testimony before the Senate Committee last week, said he did not "have an opinion" about whether that law would apply to the ITT contribution to the Republicans. "I would have to have the precise facts," he said.

Kleindienst observed, in an exchange with Sen. Birch Bayh (D-Ind.) that it was "customary" for a city seeking to attract a national political convention "to get help" from big business.

If the statute were strictly interpreted to cover all such efforts, the Cabinet nominee testified, the Democratic and Republican parties would both have to "reexamine" the arrangements they made for their 1964 and 1968 conventions, as well as this year.

In earlier testimony, however, Kleindienst told the committee that if he learned of any "quid pro quo" in which the settlement of a pending case were linked to a political contribution, he would, as Attorney General, initiate an investigation.

Sen. George S. McGovern (D-S.D.), a Democratic presidential candidate speaking on "Issues and Aswers" (ABC, WMAL), predicted that the Kleindienst nomination would run into serious trouble in the Senate.

"Enough questions have now been raised about apparent influence of big money on the way antitrust suits have been handled or dropped by the Department of Justice so that the American people at least have a right to be suspicious," McGovern said.

Before new hearings on the Kleindienst nomination were opened last week, at the nominee's request, only McGovern and Sen. Fred R. Harris (D-Okla.) had stated their intention to vote against him.

The new hearings began just as Kleindienst's name, already approved unanimously by the Judiciary Committee, was to go to the Senate floor.